IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

Crl.Rev.Pet.No. 683 of 1998()

CRA.30/1998 of IV ADDL.SESSIONS COURT, ERNAKULAM .
CC.211/1994 of JUDL.MAGISTRATE OF FIRST CLASS-I, MUVATTUPUZHA .

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REVN. PETITIONER: (APPELLANT IN CRL.APPEAL 30/98 OF
---------- SESSIONS COURT, ERNAKULAM AND
ACCYSED IN C.C. 211/904 OF JFCM COURT, MUVATTUPUZHA)

RAJENDRAN, S/O. ACHUTHAN,
KUNNATHUMATTATHIL, EEANANALLOOR KARA,
EANANALLOOR VILLAGE.

BY ADV. SRI.R.D.SHENOY (SR.)
SRI.S.VINOD BHAT

RESPONDENTS: (RESPONDENT IN THE LOWER APPELLATE COURT
---------- AND COMPLAINANT IN THE TRIAL COURT)

STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

ADDL.R2 IMPLEADED

ADDL.R2. PARU KESAVAN,CHALIL, THONYKUZHY,
NAGAPUZHA P.O., MUVATTUPUZHA
ERNAKULAM, IMPLEADED AS ADDL. R2 AS PER ORDER DT. 11.4.07.

BY ADV. SRI.RAFFEEKH.K
BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 06/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

Crl.R.P.No.683 of 1998

Dated this the 6th day of September, 2007

O R D E R

The revision petitioner is the accused in C.C.No.211/94 with respect to the offences under Sections 3(1), 4 and 6(2) of the Dowry Prohibition Act and stands convicted and sentenced to undergo R.I. for six months for the offence under Section 3(1) of the Dowry Prohibition Act and R.I. for two months for the offence under Section 6(2) of the Dowry Prohibition Act.

2. Counsel for the revision petitioner has only pleaded for modification of the sentence. Revision petitioner has agreed to repay the amount that has been expended by the defacto complainant towards clearing the encumbrance of the property retransmitted. The amount involved is Rs.65,000/-, it is submitted.

3. In the circumstances, the conviction is confirmed and the sentence imposed for the offence under Section 3(1) of the Dowry Prohibition Act is modified to imprisonment till the rising of the court and to pay a compensation of Rs.65,000/- to the defacto

complainant and in default, to undergo simple imprisonment for six months. The revision petitioner is granted six months' time to remit the amount of compensation. He shall appear before the JFCM-II, Muvattupuzha on 6.3.2008 to receive the sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl